

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
SEMENTHE DOZIER,

Plaintiff,

— against —

QUEST DIAGNOSTICS INCORPORATED,

Defendant.  
----- x

Case No. 09 Civ. 9941 (BSJ)

**NOTICE OF MOTION FOR  
ADMISSION *PRO HAC VICE***

PLEASE TAKE NOTICE that, upon the annexed affidavits of Amy J. Traub, Esq., and Joseph D. Guarino, Esq., Defendant Quest Diagnostics Incorporated (hereinafter referred to as "Quest Diagnostics" or "Defendant"), by its attorneys, Epstein Becker & Green, P.C., will move this Court before the Honorable Barbara S. Jones, U.S.D.J. at the United States Courthouse, United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, on a date and at a time to be designated by the Court, for an Order pursuant to Rule 13 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for the *pro hac vice* admission of Joseph D. Guarino, Esq., a member of the law firm of Epstein Becker & Green, P.C., Two Gateway Center, 12<sup>th</sup> Floor, Newark, New Jersey 07102, who is in good standing of the Bar of the State of New Jersey, the United States District Court for the District of New Jersey, and United States Courts of Appeals for the Second and Third Circuits, to the Bar of this Court for the purposes of representing Defendant in this litigation.

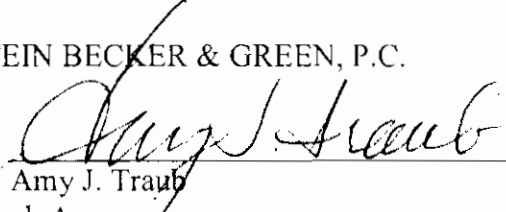
USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/30/09

Dated: New York, New York  
December 21, 2009

Respectfully submitted,

EPSTEIN BECKER & GREEN, P.C.

By:

  
Amy J. Traub  
250 Park Avenue  
New York, New York 10177-1211  
(212) 351-4500

*Attorneys for Defendant  
Quest Diagnostics Incorporated*

TO: David Abrams, Esq.  
299 Broadway, Suite 1700  
New York, New York 10007  
*Attorney for Plaintiff*

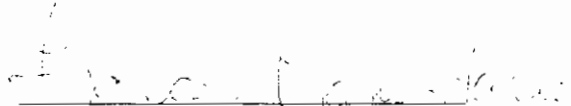
AFFIDAVIT OF SERVICE

STATE OF NEW YORK     )  
  ) ss:  
COUNTY OF NEW YORK )


Frances Many-Harris, being duly sworn, says:

I am not a party to this action, am over 18 years old and reside in Nutley, New Jersey. On December 21, 2009, I served a true copy of the *Notice of Motion for Admission Pro Hac Vice, Affidavits of Amy J. Traub and Joseph D. Guarino in Support of Motion for Admission Pro Hac Vice*, and a *proposed Order for Admission Pro Hac Vice*, via Federal Express overnight delivery addressed to the following person at the address indicated:

To: David Abrams, Esq.  
299 Broadway, Suite 1700  
New York, New York 10007  
*Attorney for Plaintiff*

  
\_\_\_\_\_  
Frances Many-Harris

Sworn to before me this  
21<sup>st</sup> day of December, 2009

  
\_\_\_\_\_  
Notary Public  
BEVERLY A. HARRIS  
Notary Public, State of New York  
No. 0144444  
Qualified in New York City, N.Y.  
Commission Expires 03/14/2030

SEMENTHE DOZIER,  
Plaintiff,  
– against –  
QUEST DIAGNOSTICS INCORPORATED,  
Defendant.

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X

Case No. 09 Civ. 9941 (BSJ)

☒ X

**AFFIDAVIT OF AMY J. TRAUB IN  
SUPPORT OF MOTION FOR  
ADMISSION *PRO HAC VICE***

STATE OF NEW YORK     )  
                              : SS.:  
COUNTY OF NEW YORK )

STATE OF NEW YORK )  
 :  
COUNTY OF NEW YORK )

STATE OF NEW YORK )  
 :  
COUNTY OF NEW YORK )

AMY J. TRAUB, being duly sworn, deposes and says:

1. I am a member of the law firm of Epstein Becker & Green, P.C., counsel for Defendant Quest Diagnostics Incorporated (hereinafter referred to as “Quest Diagnostics” or “Defendant”), in the above-captioned matter. I make this affidavit based on my personal knowledge of the facts set forth herein and in support of Defendant’s motion for the admission of Joseph D. Guarino as counsel *pro hac vice* for Defendant in this matter, pursuant to Rule 1.3 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.

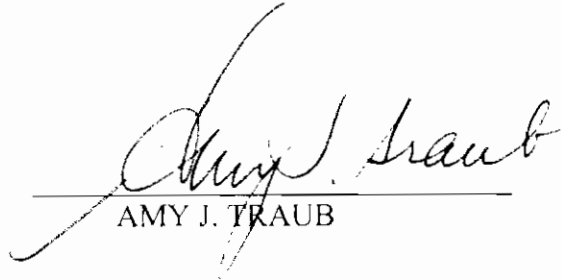
2. I was admitted to practice before this Court in 2004 and remain a member in good standing.

3. Joseph D. Guarino is a member of the bar of the State of New Jersey. He is also admitted to practice before the United States District Court for the District of New Jersey and the U.S. Courts of Appeals for the Second and Third Circuits.

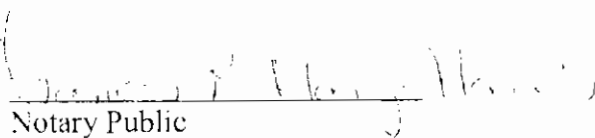
4. In my opinion, Mr. Guarino is an extremely competent attorney and of the highest moral character. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

5. I respectfully submit a proposed order granting the admission of Joseph D. Guarino, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion for admission of Joseph D. Guarino, *pro hac vice*, pursuant to Rule 1.3 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, to represent Defendant in the above-captioned matter, be granted.

  
\_\_\_\_\_  
AMY J. TRAUB

Sworn to before me this  
25th day of December, 2009

  
\_\_\_\_\_  
Notary Public

FRANCES R. MANY-HARRIS  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01MA609562  
QUALIFIED IN NEW YORK COUNTY  
MY COMMISSION EXPIRES FEB. 4, 2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SEMENTHE DOZIER,

Plaintiff,

-- against --

QUEST DIAGNOSTICS INCORPORATED,

Defendant.  
----- X

Case No. 09 Civ. 9941 (BSJ)

**ORDER FOR ADMISSION  
PRO HAC VICE**

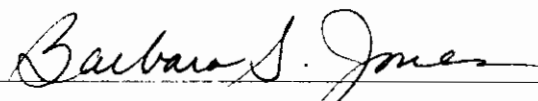
Upon the motion of Amy J. Traub, attorney for Defendant Quest Diagnostics Incorporated, and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Joseph D. Guarino, Esq.  
Epstein Becker & Green, P.C.  
Two Gateway Center, 12<sup>th</sup> Floor  
Newark, NJ 07102  
(973) 642-1900 (telephone)  
(973) 642-0099 (facsimile)  
[jguarino@ebglaw.com](mailto:jguarino@ebglaw.com)

is admitted to practice *pro hac vice* as counsel for Defendant Quest Diagnostics Incorporated, in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York  
December 20, 2009

  
\_\_\_\_\_  
Honorable Barbara S. Jones, U.S.D.J.

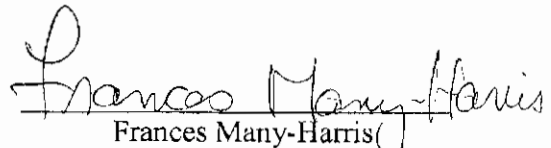
AFFIDAVIT OF SERVICE

STATE OF NEW YORK     )  
                                      ) ss:  
COUNTY OF NEW YORK    )

Frances Many-Harris, being duly sworn, says:

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299 Broadway, Suite 1700  
New York, New York 10007  
*Attorney for Plaintiff*

  
Frances Many-Harris

Sworn to before me this  
21st day of December, 2009

  
Notary Public

BEVERLY A. HARRIS CHANCE  
Notary Public, State of New York  
No. 01HA4922561  
Qualified in Kings County 10  
Commission Expires 03/14/2011

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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QUEST DIAGNOSTICS INCORPORATED,

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Case No. 09 Civ. 9941 (BSJ)

**ORDER FOR ADMISSION  
*PRO HAC VICE***

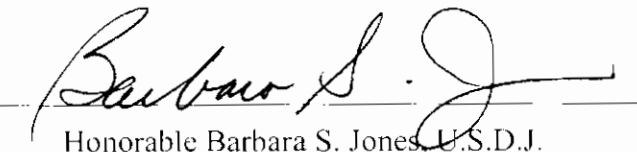
Upon the motion of Amy J. Traub, attorney for Defendant Quest Diagnostics Incorporated, and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Joseph D. Guarino, Esq.  
Epstein Becker & Green, P.C.  
Two Gateway Center, 12<sup>th</sup> Floor  
Newark, NJ 07102  
(973) 642-1900 (telephone)  
(973) 642-0099 (facsimile)  
[jguarino@ebglaw.com](mailto:jguarino@ebglaw.com)

is admitted to practice *pro hac vice* as counsel for Defendant Quest Diagnostics Incorporated, in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York  
December 22, 2009

  
\_\_\_\_\_  
Honorable Barbara S. Jones, U.S.D.J.



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SEMENTHE DOZIER,

Plaintiff,

– against –

QUEST DIAGNOSTICS INCORPORATED,

Defendant.  
----- X

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: Case No. 09 Civ. 9941 (BSJ)  
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**AFFIDAVIT OF JOSEPH D.  
GUARINO IN SUPPORT OF  
MOTION FOR ADMISSION *PRO*  
*HAC VICE***

STATE OF NEW JERSEY )

) SS.:

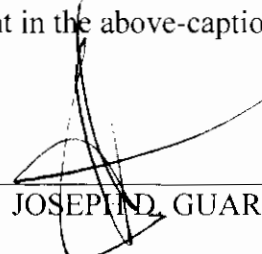
COUNTY OF ESSEX )

JOSEPH D. GUARINO, being duly sworn, deposes and says:

1. I am a member of the law firm of Epstein Becker & Green, P.C., attorneys for Defendant Quest Diagnostics Incorporated (hereinafter referred to as “Quest Diagnostics” or “Defendant”), in the above-captioned action. I am a resident in the firm’s Newark, New Jersey office located at Two Gateway Center, 12<sup>th</sup> Floor, Newark, New Jersey 07102.

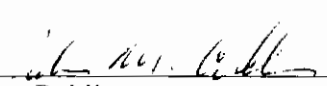
2. I am a member in good standing of the bar of the State of New Jersey. I am also admitted to the bars of the United States District Court for the District of New Jersey and United States Courts of Appeals for the Second and Third Circuits. Certificates of good standing issued by the bars of the State of New Jersey and the United States District Court for the District of New Jersey are attached hereto as Exhibits A and B respectively.

WHEREFORE, it is respectfully requested that the instant motion to admit *pro hac vice*, pursuant to Rule 1.3 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, to represent Defendant in the above-captioned matter, be granted.



JOSEPH D. GUARINO

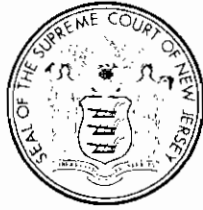
Sworn to before me this  
1 day of December, 2009



Notary Public

JOHN M. CULLEN  
NOTARY PUBLIC STATE OF NEW JERSEY  
MY COMMISSION EXPIRES AUGUST 26, 2010

# Supreme Court of New Jersey

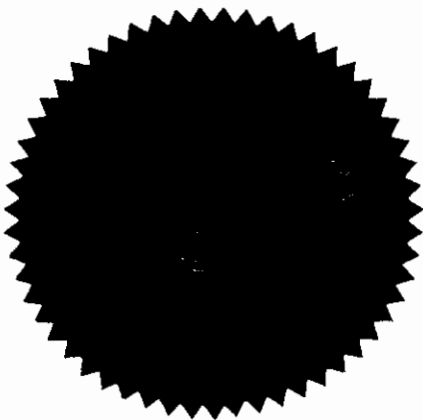


## Certificate of Good Standing

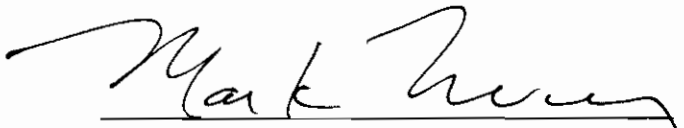
*This is to certify that*      **JOSEPH DOMENICK GUARINO**  
(No.      **016491996**      ) *was constituted and appointed an Attorney at Law of New*  
*Jersey on*      **December 17, 1996**      *and, as such,*  
*has been admitted to practice before the Supreme Court and all other courts of this State*  
*as an Attorney at Law, according to its laws, rules, and customs.*

*I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.*

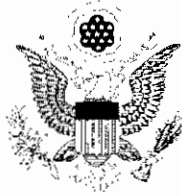
*Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.*



*In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this*  
**8TH** *day of*      **December**      , 20      **09**

  
Clerk of the Supreme Court

# Certificate of Good Standing



United States of America

District of New Jersey

*I, WILLIAM T. WALSH, Clerk of the United States District Court for the District of New Jersey, do hereby certify that:*

**Joseph D. Guarino**

*was duly admitted to practice in said Court as of January 4, 1997, and is in good standing as a member of the Bar of said Court.*

*Dated at Newark, New Jersey  
on: December 14, 2009*

WILLIAM T. WALSH, CLERK

By

A handwritten signature in cursive script, appearing to read "Carey P. Carlisle", written over a horizontal line.

Carey P. Carlisle, Deputy Clerk


AFFIDAVIT OF SERVICE

STATE OF NEW YORK     )  
                                      ) ss:  
COUNTY OF NEW YORK    )

Frances Many-Harris, being duly sworn, says:

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*Attorney for Plaintiff*

  
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Frances Many-Harris

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21st day of December, 2009

  
\_\_\_\_\_  
Notary Public

BEVERLY A. HARRIS CHANCE  
Notary Public, State of New York  
No. 01HA4922561  
Qualified in Kings County 10  
Commission Expires 03/14/2011